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TENTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

Proposals for the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

Report of the Secretary-General

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INTRODUCTION

1. Since 1955,* the quinquennial United Nations congresses on the prevention of crime and the treatment o f offenders have been organized in pursuance of General Assembly resolution 415 (V) of 1 December 1950. Their importance has been reaffirmed in numerous resolutions by the policy-making bodies of the United Nations. During the last 40 years, the congresses have served as global events and worldwide forums, influencing national policies, mobilizing public opinion, recommending lines of action at the national, regional and international levels, an d focusing attention on major issues of concern to Member States and the professional and scientific community.

2. Over the years, the congresses have undergone a significant transformation. From what was primarily a meeting of experts, following a long-established tradition inherited by the United Nations from the Internationa l Penal and Penitentiary Commission, the congresses became a major intergovernmental conference in response t o Assembly resolution 415 (V). The sixth congress represented a turning point in that regard, since the Genera l Assembly, in its resolution 32/60 of 8 December 1977, endorsed the recommendation of the fifth congress that the rules of procedure of the congresses be reviewed with a view to bringing them into conformity with those of other comparable United Nations conferences, thus transforming them into fully fledged intergovernmental worl d conferences with representation at the highest political level.

3. The result of the review of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice, as reflected in the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme (General Assembly resolution 46/152 of 18 December 1991, annex), represented a departure from pre vious practice. In addition to establishing the Commission on Crime Prevention and Criminal Justice, which now fulfils the policy-making role that the congresses had in the past, the Economic and Social Council, on the recommendation of the Commission at its second session, in its resolutio n 1993/32, annex, approved new rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders, reflecting the new orientation, structure and functions of the congresses.

4. In initiating the preparations for the tenth congress, the Secretary-General, by a note verbale dated 10 October 1995, requested Governments to submit their views on the theme of the forthcoming congress, its format, agenda items and workshop topics. As of 20 March 1996, the following 11 States had responded: Argentina, Australia , Austria, Canada, Germany, Holy See, Qatar, Spain, Thailand, Turkey and United States of America .

5. The present report is submitted to the Commission for its consideration, with a view to providing furthe r guidance to the Secretariat on the organizational and substantive preparations for the tenth congress. Following a brief presentation of background information highlig hting the experience with the ninth congress, the report outlines the suggestions provided on the substantive, as well as the organizational, arrangements for the tenth congress.

I. BACKGROUND

6. The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995, was the first congress convened after the restructuring of the United Nations crime

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*The First Congress on the Prevention of Crime and the Treatment of Offenders was convened at Geneva, Switzerland, in 1955; the second congress took place in London in 1960; the third congress was held at Stockholm in 1965; the fourth congress was organized at Kyoto, Japan, in 1970; the fifth congress was held at Geneva, Switzerland, in 1975, the sixth congress was convened at Caracas in 1980; the seventh congress took place at Milan, Italy, in 1985; the eighth congress was held at Havana in 1990; and the ninth congress took place at Cairo in 1995.

prevention and criminal justice programme, and governed by the new function and format as outlined in the annex to General Assembly resolution 46/152.*

7. In order to maintain continuity between the ninth and the tenth congresses, particularly in the organizational aspects, the experience gained from the preparations for the Ninth Congress is most relevant.

8. In this connection, the Commission may recall that on its recommendation, the Economic and Social Council, in its resolution 1992/24 of 30 July 1992, requested the Commission to finalize the provisional agenda for the Ninth Congress, taking into account the following: (a) the Ninth Congress should deal with a limited number of precisely defined substantive topics, which should reflect urgent needs of the world community; (b) the final selection of those topics should be made in accordance with the priorities set by the Commission; and (c) there should be action oriented research and demonstration workshops related to the substantive topics suggested, as part of the programme of the Ninth Congress, and ancillary meetings associated with its provisional agenda.

9. The need to hold research and demonstration workshops as part of the official agenda was emphasized by the Commission at its first session as an important element in achieving more practically oriented results. Three guiding elements were outlined for the selection of the topics of the workshops: their ability to concentrate on current trends and issues in the field of crime prevention and criminal justice; their research and demonstration value; and their use as a forum for the effective exchange of expertise and experience.

10. The preparations for and the conduct of the Ninth Congress followed the guidance provided by the Commission and the Council in pursuing a new format aimed at maximizing the practical and scientific value of the Congress. In addition to the official programme and the holding of six workshops, as provided for in the agenda, 18 ancillary and two practically oriented meetings as well as a number of ad hoc meetings and working groups on specific issues of relevance to the substantive topics were organized by non-governmental organizations and individual experts. These were attended on average by 25 to 50 participants, representing various intergovernmental, non-governmental and other professional organizations, as well as individual scholars and practitioners, all with a high level of expertise in the subject-matters discussed. The programme of work of the Congress also included exhibitions by Member States and by the private sector.**

11. As recommended by the Commission, the Council adopted an omnibus resolution 1995/27 of 24 July 1995 on implementation of the resolutions and recommendations of the Ninth Congress, as well as seven other resolutions, 1995/9 to 1995/15 of 24 July 1995, dealing with other substantive issues pertaining to the results of the Congress. In addition, the Council, on the recommendation of the Commission, recommended for adoption by the General Assembly draft resolution 1995/8 of 24 July 1995 on the Ninth Congress.

II. PRELIMINARY ASSESSMENT

A. Fourth session of the Commission on Crime Prevention and Criminal Justice

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*For a comprehensive background on previous congresses, including the new format of the Ninth Congress, see the note by the Secretary General on preparations for the Ninth Congress (E/CN.15/1992/5).

**For an overview of the ancillary meetings of the Ninth Congress, see conference room paper E/CN.15/1995/CRP.2, submitted to the Commission at its fourth session. A revised version of that paper and a more detailed account of the results of the Ninth Congress will be included in the forthcoming issue of the *United Nations Crime Prevention and Criminal Justice Newsletter*, number 28/29, to be published in 1996.

12. To make the Tenth Congress as productive as possible, the Commission, as the preparatory body of th e congresses, should first attempt to assess the achievement s of and the problems encountered by, the Ninth Congress. The Commission may recall that at its fourth session, all delegations and representatives of the intergovernmental and non-governmental organizations that contributed to the debate on the N inth Congress expressed their satisfaction with the successful conduct of the proceedings and its productive results, in spite of the fact that the time available for pre-Congress consultations and the Ninth Congress itself had to be shortened, that the venue of the Congress had to be changed, and that all preparatory arrangements had to be completed in only a few months. At the same time, many representatives emphasized the importance of undertaking a thorough evaluation and analysis of the results of the Congress.

13. A number of important lessons learned at the Ninth Congress could be utilized in the organization of future congresses. Its practical orientation was particularly welcome. The workshops proved to be extremely useful for sharing experience and know-how. The involvement of different entities in their organization provided valuabl e results, although it was suggested that their number should be reduced to ease the burden on smaller delegations. It was suggested that future workshops should: deal with topics of interest to both developing and develope d countries; take a multidisciplinary approach, actively involving entities wit h different areas of expertise and operation in their organization and conduct; identify recent trends and emergin g issues in crime prevention and criminal justice; stimulate among participants discussions oriented towards finding practical solutions to problems; and achieve a multiplier effect in terms of generating practical applications after the congresses. It was further suggested that the status of the conclusions of the workshops should be clarified in relation to the congress resolutions. In addition, it would be desirable to review the approach to ancillary meetings, symposia and exhibits to ensure that they would be integrated into the congress activities.

14. In summing up the discussion on the issue, the chairman of the Commission noted that the Ninth Congres s marked a transition to a new congress format, which could in future be even more practice-oriented. The number of workshops should be reduced and their objectives more clearly defined. The chairman suggested that, as there had been a high level of representation at the Ninth Congress, a "high-level segment" could be introduced at th e beginning of the proceedings, reserved for ministers of State and other representatives of similar rank. With regard to the initiation of the process of preparation, he recommended that the Commission should start preparatory work for the congresses earlier. The consensus of participants seemed to be that rule 28 of the rules of procedure for the congresses, which required that draft resolutions be submitted four months in advance of each congress, should be retained. At the fiftieth session of the General Assembly, the Chairman had made a statement conveying the views of the Commission on this matter, and provided an overview of the results of the Ninth Congress, pointing out that utmost attention was given by the Commission to General Assembly resolution 49/157 of 23 December 1994, in which it was requested to recommend appropriate follow-up to the conclusions and recommendations of th e Congress.

B. Fiftieth session of the General Assembly

15. The consideration and endorse ment of the conclusions and recommendations of the Ninth Congress coincided with the celebration of the fiftieth ann iversary of the United Nations, attended by heads of States and Governments, many of whom made reference to the destabilizing impact of crime. Crime prevention and criminal justice featured as a priority issue in many statements. In his remarks to the General Assembly on that occasion, President William J. Clinton of the United States stated: "Nowhere is cooperation more vital than in fighting the increasingl y interconnected groups that traffic in terror, organized crime, drug smuggling and the spread of weapons of mas s destruction. No one is immune". The strong commitment expressed at the highest level to fight crime reflected the concern over its globalization. It was emphasized that as the world approached the third millennium, crime wa s becoming a major threat to national and international sec urity. With the growing trends towards regional integration and increased movement across borders, joint action by States was becoming absolutely imperative.

16. In the Third Committee of the General Assembly, while most representatives made statements on the substantive issues of the Ninth Congress and its results, few commented on organizational aspects, which might be of benefit in organizing the Tenth Congress. Representatives expressed satisfaction with the organization, conduct and results of the Ninth Congress, which had highlighted the interest of countries all over the world, particularly developing countries, in United Nations assistance in crime prevention and criminal justice. Other representatives stated that the congresses on the prevention of crime and the treatment of offenders, the status of which had been modified since they had begun acting as consultative body to the United Nations crime prevention and criminal justice programme, should henceforth be better able to respond to the actual needs of Member States, but should nevertheless not fail to set precise objectives and reduce the number of resolutions adopted.* It was noted that the Ninth Congress, in accordance with its mandate, had given participating delegations an opportunity to exchange information and consult each other on new trends in crime and the steps to be taken. The holding of workshops on current issues had contributed greatly to the practical orientation of the Congress. Future congresses should also have the same concrete focus, but the number and nature of the workshops should be defined more clearly.

17. The agenda of the Ninth Congress had reflected the programme priorities laid down by the Commission, and the workshops had achieved tangible results. Nevertheless, the potential of the Congress had not been fully utilized. In the future, it would be necessary to ensure a pragmatic approach in exchanging experience and defining new areas for cooperation. Furthermore, it was important to bring the practical recommendations of the Congress to the attention of the largest possible number of law enforcement agencies and legal specialists, and to identify ways to implement them at the national level.**

18. The discussion of the item by the Third Committee concluded with the adoption of resolution 50/145, in which the Assembly endorsed the resolutions of the Ninth Congress, as approved by the Commission, and the recommendations made by the Commission at its fourth session, as well as those made by the Council at its substantive session of 1995 on the implementation of the resolutions and recommendations of the Congress, as reflected in Council resolution 1995/27 of 24 July 1995. The Assembly invited Governments to be guided by those resolutions and recommendations in formulating legislation and policy directives, and to make every effort to implement the principles contained therein, in accordance with the economic, social, legal, cultural and political circumstances of each country.

19. In their comments on the format, structure and functioning of the Ninth Congress, representatives made a positive assessment of the work accomplished. The rich debate on the results achieved in dealing with the substantive issues on the agenda of the Congress confirmed the leading role of the congresses in the promotion of more effective crime prevention and criminal justice policies and strategies by recommending action at the national, regional and international levels. By continuing to focus on issues of direct concern to Member States, on precisely defined topics and on action-oriented discussions, the contributions of the congresses could be further enhanced. The debate also confirmed that there was a growing consensus among Member States on the new format of the congresses, as well as broad endorsement of the way in which the Commission and the Secretary-General had given effect to the various resolutions of the policy-making bodies relating to preparations for and the conduct of the Tenth Congress.

III. VIEWS OF COUNTRIES ON THE TENTH CONGRESS

A. Organizational aspects

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*Compared with the Eighth Congress, which adopted 46 resolutions and one decision, the Ninth Congress adopted 11 resolutions, thus exercising the desired restraint.

**An account of the discussion of item 106 on crime prevention and criminal justice is contained in the relevant summary records (A/C3/50/SR.12-17,19,25 and 42).

20. Commenting on the role of the Tenth Congress, Australia noted that the creation of the Commission had led to a change in the role of the congresses, which no longer had the major policy-making role on criminal justic e matters in the United Nations system. That role had now passed to the Commission, as reflected in the annex t o General Assembly resolution 46/152. Accordingly, it was for the Commission to take decisions, drawing on th e advice and suggestions of the Tenth Congress as necessary. Australia expressed its belief that the organization of the Congress should take full account of the nature of the relationship between the Congress and the Commission and the extent to which the former could provide an input into the work of the latter. There was little value in a stream of resolutions flowing from the Congress calling on the Commission to take action on issues that were not closely related to its priority work topics, and which did not take into account the limited resources available t o undertake the proposed activities. Countries sho uld be encouraged to limit the number of resolutions, the objectives of which should be quality not quantity. The strict enforcement of the deadline for their submission could assist in that regard. Australia considered that the workshops should be included in the work programme of the Congress, with full integration into its discussions on the sub stantive agenda items. However, their number should be reduced, perhaps from six to four.

21. Austria welcomed the new format of the congresses as a breakthrough in the way that United Nation s conferences were organized. The emphasis on practical and operational aspects of the programme was highl y welcome. The exchange of expertise, experience and me thods as reflected in the pragmatic approach adopted by the demonstration and research workshops of the N inth Congress had clearly proved useful. The emphasis on technical cooperation had contributed to the increased operational impact of the programme. Further improvements wer e required, however, and an effort should be made to limit the items before the Tenth Congress by focusing on a few specific subjects. Consideration should be given to the introduction of a "high-level segment" of one or two days that would be reserved for statements of representatives at the political level, such as government ministers an d attorneys-general. Such a segment could be devoted to a specific theme, and also serve as a platform for airin g particular national concerns. Consideration should be given to providing a forum for discussion between relevant agencies of the United Nations system and other organizations seeking better cooperation and coordination. A n effort should be made to obtain inputs from all relevant entities for that purpose, supplemented by a demonstration workshop to deal with several case-studies.

22. Canada expressed general satisfaction with the outcome of the Ninth Congress, as well as its venue , organization and content. However, Canada hoped that the v enue and dates of the Tenth Congress would be decided earlier than was the case for the Ninth Congress, in order to p ermit better planning by the organizing country, as well as by the participating ones, and hoped that there would be fewer problems wi th respect to the location and setting-up of the exhibits and kiosks. The Ninth C ongress had been a congress of transition, following the restructuring of the United Nations crime prevention and criminal justice programme. In accordance with its mandate, the Nint h Congress had fulfilled its role as a forum for the exchange of information and the identification of new trends . Canada believed that the adoption of rule 28 of the rules of procedure of the Congress concerning the four-month deadline for submission of resolution s had largely contributed to this success by permitting Member States to come forward with prepared positions on all substantive issues to be considered. Canada had reservations, however, as to the adoption by congresses of omnibus resolutions, even if the four-month deadline applied. Given the level of attention and amount of time associated with their adoption, such broad resolutions detracted from the mai n objectives of congresses.

23. Canada stated that it was also unfortunate that most of the resolutions on well-focused issues did not receive within informal working groups the same attention from which they would have otherwise have benefited in the main committees that operated with simultaneous interpretation. Indeed, paramount to fully productive discussion s associated with the adoption of resolutions was the contribution of Member States, as well as the input o f non-governmental organizations, institutes and individual experts. One way of solving the problem would be to have one of the congress committees, at the outset, devote its time to the full consideration of resolutions with al l participants. Another alternative would be to divide the resolutions between the committees on the basis of their substantive expertise. Since there would be less time availabl e, that would obviously imply a decrease in the number of issues and workshops to be discussed by other committees. While such a decrease would be welcome if i t

permitted a more focused discussion on specific issues, efforts should still be made to ensure that the number of resolutions were kept to a minimum, and that the main purpose of the congresses (exchange of information and identification of new trends) was not forgotten.

24. Canada believed that the workshops had been the highlight of the Ninth Congress, even though some workshops had not been as well attended as expected, perhaps in part because of the large amount of time devoted to negotiations on resolutions outside the formal setting. Canada expressed the belief that the workshops at the Ninth Congress had been so important and crucial in the exchange of information and the identification of new trends, which constituted the basis of the new role of congresses, that the rules of procedure of the congresses should be amended to reflect their role and importance in the future. The rules should reflect that the workshops could, with the approval of the Commission, be organized by any interested party, including Member States, the interregional and regional institutes and non-governmental organizations, working in close collaboration to bring forward their different perspectives on the issues to be addressed. Such a participatory process would more thoroughly fulfil the main objectives of congresses and permit them to bring forward a different perspective than that of the Commission. The rules should also reflect that the number of workshops to be held during a congress should be limited. Furthermore, they should mention that all workshops held during the congress should fulfil the following five objectives:

(a) To deal with items of interest to both developing and developed countries;

(b) To be multidisciplinary and display a balance among the various disciplines (law, police, corrections and social sciences) and entities, Member States, interregional and regional institutes and nongovernmental organizations interested in the criminal justice system;

(c) To endeavour to identify emerging issues;

(d) To stimulate discussion, rather than rely upon prepared speeches, by being oriented towards practical problems and solutions;

(e) To have a multiplier effect in stimulating work which would continue following the congress.

25. Concerning the topics that could be discussed at the Tenth Congress, Canada believed that the interest demonstrated at the Ninth Congress and by the international community as a whole in the issues of violence against women, violence in society and organized crime confirmed the need for more work to be done at the Tenth Congress on those pressing issues.

26. Regarding the format of the Tenth Congress, Spain expressed its satisfaction with the structure followed for the Ninth Congress.

27. The United States proposed that the Tenth Congress not be a legislative forum but rather an educational one for exchange of information and experiences, with the outcome being a declaration. It noted that so much time had been spent during the Ninth Congress in negotiating and drafting the text of various resolutions, that many delegations, including that of the United States, had been unable to participate effectively in the many valuable workshops and discussions which had taken place. That situation had severely undermined the focus of the Ninth Congress on practical activities and exchange of information. A single declaration summarizing the activities of the Tenth Congress at its conclusion would greatly enhance its educational and practical value. The declaration would be a more concise statement of the findings of the Congress than the report of the Congress, but it would not directly call for action by the Commission. Any substantive resolutions based on activities or discussions at the Congress should be left for the following session of the Commission to formulate.

B. Venue

28. Two of the past congresses had been held at the United Nations Office at Geneva, and three had been held in western Europe, two in Latin America, one in Africa and one in Asia.

29. To date, no official invitation had yet been received from any country to host the Tenth Congress.

30. The United States had recommended that the site for the Tenth Congress should be Singapore, Bangkok o r Jakarta. No formal expression of interest had been received from those countries or from any other country to host the Tenth Congress.

C. Substantive aspects

31. A summary of the views of countries on possible subjects for the Tenth Congress, regrouped under mai n headings is provided below.

1. Substantive topics

Transnational organized crime

32. The fight against organized transnational crime in all its forms , including, *inter alia*, economic crime, computer crime, the role of criminal law in the protection of the environment and the development of procedures for tha t purpose, as well as the fight against corruption, figured prominently among the suggested topics for discussion. A few countries stressed that due regard should be given to the possible links between organized crime and terrorist crimes. It should be recalled that the only formal recommendation on that subject made by the Ninth Congress, in its resolution 4, paragraph 8, was that the Comm ission include on the agenda of the Tenth Congress an item entitled "The links between transnational organized crime and terro rist crime". Argentina recommended the inclusion of that item in the agenda of the Congress, suggesting that more detailed examination of the subject of transnationa l organized crime and its links with terrorism, along the lines embodied in that resolution and in Council resolution 1995/27 of 24 July 1995, was needed.

33. Of particular concern to Argentina was the international traffic in children and the need to provide effective tools to eradicate it. At the Ninth Congress, a proposal to prepare an international convention on the subject had been recommended by Argentina. The subject should be one of the main topics for consideration at futur e international congresses and meetings.

34. Austria also recommended that further consideration should be given to the contribution that the Tent h Congress could make in devising measures for combating organized transnational crime, with due regard to th e possible links between organized crime and terrorist crime. Canada was of the opinion that the interest displayed by the Ninth Congress and by the international community as a whole in the issue of organized crime confirmed the need for more work to be done at the Tenth Congress.

35. Turkey expressed great concern about the links between organized crime and terrorist crime as a form o f organized transnational crime. The major part of the resources of terrorist groups were in fact the proceeds of drug trafficking, but also often of other types of crime, such as illegal arms trafficking, trafficking in illegal migrants , money-laundering, armed robbery and extortion. As long as those channels of financing their activities wer e available to terrorist groups, it was very difficult to eradicate them. It was therefore of primary importance that the structures and dynamics of transnational criminality in all its forms be examined in depth with a view to stepping up the fight against the scourge of terrorism.

36. Australia proposed that the Tenth Congress should be dedicated to taking stock of international efforts t o combat organized crime and to assess the level of the threat posed by that form of criminality as the globa l community entered a new century.

37. In keeping with the steps announced by President Clinton to combat international crime, the United State s recommended that the Tenth Congress should pay attention to that matter, noting that no country should serve as a safe haven for international criminals. The Congress should focus on practical measures to ensure that fugitives were apprehended and prosecuted no matter where they went by recommending measures to improve extraditio n procedures and, when appropriate, to facilitate the various alternatives to formal extradition. Financial disclosure, transparency and accountability were the most effective mea ns available to combat global money-laundering, as well as to enhance the soundness of financial institutions. The Congress should address practical measures in that area, as well as focus on other mechanisms to deter, detect and prosecute money-laundering and financial crime.

38. The Holy See suggested that the Congress should focus on the development of new international lega l instruments and forms of international jurisdiction to combat transnational crime linked to: speculative financial transactions severely harming the economy of one or more States; activities, also undertaken by private persons , provoking very severe harm to the environment of other States; extensive terrorism resulting from organize d transnational crime; and the role of education in combating violence and organized criminality.

39. In the context of transnational criminality, Germany proposed as a theme for in-depth discussion th e harmonization of national legislation on legal assistance in criminal justice matters, as a possible follow-up to the workshop on extradition and international cooperation and to resolution 2 of the Ninth Congress on international cooperation and practical assistance for strengthening the rule of law.

Crime prevention and implementation of United Nations standards and norms

40. Austria proposed the inclusion in the agenda of the Congress the role of crime prevention and criminal justice in the promotion of human rights and democracy. In the context of the priority items under discussion by th e Commission, the Congress could contribute to the further development of the draft plan of action on the elimination of violence against women. Germany suggested that the topics dealt wi th by the Congress should include issues such as crime prevention; social changes and criminality, under which the impact of changing political and socia l conditions on the development of criminality would be examined; poverty (including relative poverty) an d criminality; criminality and crime prevention in the "information society", under which the criminal abuse o f international digital information networks would be discussed, the need for international legal agreements and the harmonization of relevant policies examined, and especially tec hnical countermeasures considered; and improvement of the living conditions of juveniles.

Improvements in the administration of justice and the rule of law

41. Turkey proposed the inclusion of the theme of improvements in the administration of justice among th e substantive topics of the Tenth Congress, since efficiency in the adm inistration of justice had an essential role to play in the fight against crime, and consequently in the promotion of the rule of law. Computerization of the criminal justice system, electronic information exchange, and collection and analysis of criminal justice data were ke y elements in that process. In that respect, the United Nations Crime and Justice Information Network should b e further strengthened.

42. Further suggestions, made by the Holy See, included the introduction and further development of alternatives to imprisonment aimed at the rehabilitation and reintegration of offenders into society and the eradication of the use of preventive incarceration.

Violent crime

43. Canada believed that the interest demonstrated at the Ninth Congress and by the international community in the issues of violence against women and violence in society confirmed the need for more work to be done at th e Tenth Congress on those issues.

44. Spain suggested that the subject of new forms of violence of a xenophobic nature, emerging particularly among urban groups, might be examined from the following standpoints: racist or xenophobic offences; strategies to prevent and combat racial violence in urban centres; and approaches to legislation on the criminalization of racist or xenophobic offences.* The Committee on the Elimination of Racial Discrimination had repeatedly reiterated the need for legislative harmonization and given priority to that question. In fact, the Committee, at its session in March 1995, had taken note of the meeting of the Council of Europe, held in November 1994, which had recommended the strengthening of information, education and preventive activities for young people, a favourite target of the propaganda spread by racist groups. To that end, some members of the Committee had indicated their concern about the dissemination of violent racist and xenophobic ideologies using new technologies, such as the information superhighway (particularly the Internet) and video games.

45. Spain further recommended that it would be advisable for the Tenth Congress to appeal to States that had not yet ratified or acceded to the Convention on the Elimination of All Forms of Racial Discrimination to do so, and to consider lifting reservations that restricted the application of the Convention. The members of the Committee on the Elimination of Racial Discrimination should also be invited to attend the Tenth Congress and to prepare a contribution on the issue.

Migration and crime

46. In the context of the priority areas under discussion by the Commission, Austria proposed that emphasis should be placed during the Tenth Congress on the subject of migration and crime, under which the following subjects could be explored: crimes committed in reaction to large-scale immigration; migrants as perpetrators of crime; migration triggered by criminal offences, especially human rights abuses; and trafficking in migrants.

Technical cooperation and coordination of activities, including the role of criminal justice assistance in peace-keeping and post-conflict reconstruction operations

47. Argentina regarded technical cooperation and advisory services as an important topic which should be included in the agenda of the Tenth Congress. The provision of advisory services and, in particular, the implementation of training programmes by means of scholarships, expert group meetings and workshops designed to solve problems, both nationally and regionally, were very positive approaches for developing countries. It would therefore be useful to expand those measures, with particular emphasis on the need for technical cooperation between countries. In that context, it would be advisable to study the possibility of signing cooperation agreements on the empirical investigation of different crimes, since knowledge of the criminological reality was a prerequisite for the extension of measures to prevent crime in its different manifestations.

48. Austria proposed that consideration should be given to providing a forum for discussion between relevant agencies of the United Nations system and other organizations in order to explore better cooperation and coordination between them. One possibility would be to allocate a specific item on the subject in the agenda of the Congress. An effort should be made to obtain inputs for the discussion from those entities, supplemented by a demonstration workshop on case-studies. The role of crime prevention and criminal justice in peace-keeping and post-conflict reconstruction operations was also suggested as a possible substantive topic.

Other topics

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*The Commission on Human Rights, in its resolution 1995/11 of 24 February 1995 on the Third Decade to Combat Racism and Racial Discrimination, invited all governments and international and non-governmental organizations to increase and intensify their activities to combat racism. In the same resolution, the Secretary-General was requested to publish and distribute as soon as possible the model legislation on racism for the guidance of Governments in the enactment of further legislation.

49. Qatar proposed that the fight against the smuggling of human organs and procedures for combating th e smuggling of nuclear substances should be considered as specific substantive topics for the Tenth Congress.

50. As another possible substantive topic for the Congress, the United States suggested the inclusion of an item on combating corruption by criminalizing bribery. The Congress should address the problem of corruption in all its forms, with a focus on practical changes in criminal l aw and administrative practices to eliminate corruption from law enforcement, public contracting and benefits and other government institutions.

2. Topics for the demonstration workshops

51. Two States presented their views on the topics of the demonstration and research workshops. Qatar suggested that a workshop should be held on linkages between corruption and organized crime, and Thailand proposed that the treatment of offenders should be added to the agenda of the workshops, in order to have an exchange o f information on the administration of justice.

IV. CONCLUSION AND ACTION REQUIRED OF THE COMMISSION

52. The main objective of the new format of the Ninth Congress was to maximize its practical and scientific value through problem-oriented workshops, demonstrations of different approaches to facilitate technical assistance and cooperation, and special sessions devoted to the discussion of priority issues of direct interest to all countries. As the preparatory body for the congresses, the Commission is called upon to de termine whether the same organizational and substantive arrangements as those made for the Ninth Congress will be adequate for the Tenth Congress, o r whether additional arrangements should be explored. Observations made by Governments through thei r representatives to the Commission at its fourth session and in the General Assembly will be of assistance to th e Commission in this regard.

53. The Tenth Congress, to be held at the dawn of the twenty-first century, can play a catalytic role by providing a new vision and innovative approaches to crime prevention and criminal justice matters. Notwithstanding th e limited number of replies to the note verbale of the Secretary-General, the Commission may wish to initiate a discussion of organizational and substantive preparations for the Congress, in the light of the views and comments contained in the present report and other experiences gained. In the meantime, pending the receipt of additiona l replies, the Commission may start focusing attention on a number of substantive proposals which were made b y States, as well as on the proposals contained in the assessment made in section II of the present report, with the aim of agreeing on preliminary organizational and substantive arrangements. The Secretary-General may be requested to prepare a more comprehensive report, containing a consolidated submission for consideration and finalization by the Commission at its sixth session.

54. Since only 11 States have so far provided comments, the Commission may wish to request the Secretary - General to seek the views of those States which have not yet submitted proposals on the themes, format, agend a items and topics of workshops of the Tenth Congress.

55. The guidance of the Commission is required as to the course of action to be followed in ensuring timel y preparations for the Congress. In that connection, it should be r ecalled that, at the fourth session of the Commission, a number of representatives stated that planning for the Tenth Congress should begin as soon as possible, and that the Commission at its fifth session should decide on its preparation, including, if possible, an indication of its dates and venue. The agreement with the host country should be confirmed no less than 18 months before the convening of the Congress.

56. The Commission may also wish to provide guidance on how to reconcile the function of the Congress as a forum for the exchange of information with the proposals on the structure and format of the Tenth Congress, such as the introduction of a "high-level segment" of one or two days that would be reserved for statements o f

representatives at the political level (government ministers, attorneys-general etc.) on a specific theme and th e inclusion of appropriate negotiations and consultations at the highest level.